

Oversight Plan

Committee on the Judiciary

106th Congress

February 4, 1999

FULL COMMITTEE

- I. Antitrust Enforcement The Full Committee will be conducting hearings on the operations and activities of the Antitrust Division of the Justice Department and the Bureau of Competition of the Federal Trade Commission. (Spring /Summer 1999)
- II. Hart-Scott-Rodino Act The Committee will conduct oversight of the operation and implementation of the Hart-Scott-Rodino pre-merger notification statute. (Summer/Fall 1999)
- III. Robinson-Patman Act The Committee will review the Robinson-Patman Act, which makes it unlawful for a seller to discriminate in price between different purchasers of goods, where the discrimination may result in a substantial lessening of competition. Of particular interest will be whether the statute requires modernizing amendments. The Committee will also consider the application of the Act to the small business community. (Fall 1999/Winter 2000)
- IV. Health Care Policy Statements The Committee will review and evaluate the implementation of the "Statements of Antitrust Enforcement Policy in the Health Care Area" -- guidelines jointly issued by the Federal Trade Commission and the Antitrust Division on September 15, 1993, revised September 27, 1994 and once again revised on August 28, 1996. As part of this oversight effort, the Committee will analyze whether legislation is still needed to ensure the appropriate application of the antitrust laws to various health care industry practices. (Fall 1999)
- V. Telecommunications The Committee will examine the implementation of the Telecommunications Act of 1996, including its electronic publishing and alarm monitoring provisions. As part of its review, the Committee will be looking at the Department's policy with respect to mergers in the telecommunications industry. These mergers now fall under the Hart-Scott-Rodino Act by virtue of the repeal of Section 221(a) of the Communications Act of 1934. The Telecommunications Act of 1996 repealed this anachronistic provision. (Spring/Summer 1999)
- VI. International Antitrust Enforcement The Committee will examine the Division's implementation of the "International Antitrust Enforcement Assistance Act," enacted in 1994 (Public Law 103-438). (Fall 1999)
- VII. Electric Utilities Deregulation The Committee will conduct hearings on the antitrust implications of proposed deregulation legislation related to the electric utility industry. (Winter 1999/Spring 2000)
- VIII. Government Performance and Results Act The Committee will engage in consultation with the Department of Justice, the Federal Trade Commission, the Patent and Trade Office, and other government agencies within its jurisdiction, regarding the preparation and implementation of strategic plans and performance plans as required under the Government Performance and Results Act. Each of the Subcommittees will engage in

such consultation with the particular divisions of agencies which fall within their respective jurisdictions. (Ongoing)

- IX. Department of Justice Oversight The Department of Justice has not been formally authorized for 20 years. In the 105th Congress, the Committee reported and the House approved an authorization bill, and intends to renew that effort in the 106th Congress. In preparation for this effort, the Committee intends to engage in wholesale oversight of the administrative structure of the Department and the effectiveness of its individual components. (Ongoing)
- X. Attorney Fee Awards in Class Action Suits The Committee will examine the effect of the availability of attorney fee awards in connection with the settlement of large scale private litigation. In light of the magnitude of attorney fee awards which have been recovered in recent settlements, the Committee will analyze whether legislation is needed to place some restrictions on the right to recovery of fee awards. (Spring/Summer 1999)
- XI. Government Sponsored Private Tort Litigation In recent years, cities, states, and the Federal government have engaged in private suits against various alleged tortfeasors for the recovery of damages to their citizens. The Committee will consider whether this is an appropriate role for government entities and if so, whether there should be procedural and substantive rules imposed in those cases to protect the rights of both the defendants and the citizens on whose behalf the cases are brought. (Spring 2000)
- XII. Independent Counsels In addition to the Committee's general overview of the Department of Justice, the Committee intends to examine the relationship between independent counsels appointed under 28 U.S.C. 591 *et seq.* and the Attorney General. This review will include consideration of the conflicts raised by the assertion of privileges on behalf of the government against investigatory requests of the independent counsel. (Summer 1999)
- XIII. Violence Against Women The Committee will conduct hearings to consider the need for re-authorizing and strengthening the original Violence Against Women Act of 1994. As part of its proceedings, the Committee will review how that legislation has assisted treatment facilities and shelters for battered women. The Committee will also consider causes and possible responses to the many criminal law problems which uniquely affect women, such as the rising rate of rape and domestic violence, including murder.

SUBCOMMITTEE ON COMMERCIAL AND ADMINISTRATIVE LAW

I. Administrative Process and Procedure

A. Role of Congress in Creating Regulatory Burden In light of a GAO report finding that Congress specifically requires a significant amount of burdensome regulation, the Subcommittee expects to conduct a hearing analyzing the role of Congress in creating regulatory burden. (Spring 1999)

B. Administrative Taxation During the 105th Congress, the Subcommittee conducted a hearing titled "Administrative Taxes: The FCC's Universal Service Tax," which explored the fact and consequences of federal agencies having the power to tax. The Subcommittee expects to continue investigating this issue, exploring examples beyond the Universal Service tax and the effect of agency taxation on tax levels and accountability in the spending of taxpayer dollars. (Summer 1999)

C. Congressional Review Act During the 105th Congress, the Subcommittee conducted a hearing on implementation of the Congressional Review Act and Subcommittee staff conducted numerous briefings to alert congressional staff to this relatively new oversight tool. The Subcommittee expects to continue its efforts to highlight the Congressional Review Act. The Subcommittee also expects to expand its efforts, making the regulated public aware of the Congressional Review Act reporting requirement. Under the Act, a rule must be submitted to Congress and the GAO before it may take effect. (Summer 1999)

D. Judicial Review of Regulatory Flexibility Act In 1996, the Small Business Regulatory Enforcement Fairness Act ("SBREFA") amended the Regulatory Flexibility Act to give judicial review to small entities affected by an agency's failure to perform a Regulatory Impact Analysis ("RIA"). Subsequently, the Environmental Protection Agency issued National Ambient Air Quality Standards without performing an RIA. The Subcommittee held a hearing highlighting this failure, among many. Pursuant to the judicial review provisions of SBREFA, small entities are challenging the EPA's actions, and their case was argued in the Court of Appeals for the D.C. Circuit in December. Should the court rule in favor of the small entities and remand the rule, the Subcommittee expects to highlight this success and oversee EPA's subsequent actions. (Winter 1999)

E. Agencies as Independent Political Actors The Subcommittee expects to research the extent to which agencies compete for supremacy in the world of policymaking. Agency practices that the Subcommittee may analyze include: implementation of policies that Congress has considered and rejected; threats to implement policies Congress has under consideration; use of consent decrees to achieve non-statutory policy goals; and use of agency resources to influence legislative processes. (Spring 1999)

II. Agencies

A. Legal Services Corporation The Subcommittee has authorization jurisdiction over the Legal Services Corporation (LSC), a federally funded independent entity which provides grants to local recipients providing legal services to the poor. The LSC continues to be the subject of considerable controversy, almost since its inception in the 1970's, which has prevented the Congress from passing an authorization since 1978. It has continued its existence through the annual appropriation process. The Judiciary Committee approved legislation during the 104th Congress that would have abolished the corporation and converted the provision of legal services to the poor into a block grant program administered primarily by the states. This legislation was not considered by the House. The Subcommittee expects to be extensively involved in continuing oversight of the corporation and in the reauthorization effort. Hearings, as well as considerable staff investigation and monitoring, are expected. (Summer/Fall 1999)

B. Other Agencies In addition to the Legal Services Corporation, the Subcommittee has authorization responsibility for several other federal entities, including: the Office of Solicitor General, the Executive Office for United States Trustees, the Executive Office for United States Attorneys, the Environment and Natural Resources Division of the Department of Justice and the federal bankruptcy court system. The Subcommittee conducted hearings and engaged in considerable oversight of these entities during the 105th Congress and anticipates increasing that effort, involving staff investigation, monitoring and additional hearings. (Spring 1999 through Summer of 2000)

III. Interstate Compacts

The Constitution requires that the Congress approve compacts or agreements between two or more states in order to assure these will not adversely impact federal interests. The Subcommittee has approved numerous compacts during the past two Congresses which were enacted into law and it expects to engage in oversight to determine whether the process whereby states seek Congressional approval is being adhered to by the various states, which may include travel to a number of states. The Subcommittee may also consider holding hearings on whether the Northeast Interstate Dairy Compact should be extended or allowed to expire. (Spring through Winter 1999)

IV. Bankruptcy

The Subcommittee has jurisdiction of the Bankruptcy Code (11 U.S.C. 101 *et seq.*) and related provisions codified in title 18 and 28 of the United States Code. In addition, the Subcommittee has jurisdiction over bankruptcy judgeships. During the 105th Congress, the Subcommittee held an extensive series of hearings on the need for bankruptcy reform, the work of the National Bankruptcy Review Commission, the treatment of charitable contributions, and administrative protections for private trustees. The Subcommittee anticipates substantial oversight of the Bankruptcy Code (Spring 1999) and possibly hearings on whether the code should be amended to deal with the special issues presented by insolvent health care providers, such as hospitals and HMOs, and the treatment of mass torts in a bankruptcy case. (Spring 2000)

V. Specific Statutory Oversight

A. Independent Counsel Act The Subcommittee has jurisdiction over the Independent Counsel Act (28 U.S.C. 591 *et seq.*), which expires on June 30, 1999. The Subcommittee anticipates engaging in considerable oversight to determine the effectiveness of the Act, the performance of those appointed independent counsel thereunder, and further determine whether reauthorization of the statute is warranted, with or without appropriate modification. (Spring/Summer 1999)

B. Administrative Procedure Act The Subcommittee has jurisdiction over the Administrative Procedure Act (5 U.S.C. 551 *et seq.*), which includes the Congressional Review Act and the Regulatory Flexibility Act. The Subcommittee anticipates oversight in this area to find areas where these laws can be improved, rationalized, and streamlined. (Summer 1999 through Summer 2000)

C. Federal Debt Collection Act The Subcommittee has jurisdiction over federal debt collection and anticipates oversight in this area of its responsibility, including the operation of the Federal Debt Collection Act of 1990 and other related aspects of federal debt collection. (Summer 2000)

D. Contract Disputes Act The Subcommittee has jurisdiction over the Contract Disputes Act (41 U.S.C. 601 *et seq.*), enacted into law in 1978 in response to recommendations made by a federal commission on procurement. The Subcommittee anticipates oversight of the operation of the Act to determine how well it has achieved its purpose and to evaluate the performance of the Board of Contract Appeals. (Summer 2000)

E. Federal Arbitration Act The Subcommittee has jurisdiction over the Federal Arbitration Act (9 U.S.C. 1 *et seq.*) and anticipates conducting oversight of its operation to determine whether it has achieved its intended purpose. Hearings will be scheduled as warranted. (Spring 2000)

F. Negotiated Rulemaking Act The Subcommittee has jurisdiction over the Negotiated Rulemaking Act (5 U.S.C. 581 *et seq.*) and anticipates conducting hearings to determine how effectively the statute is operating and the level of its utilization by agencies. (Fall 1999)

G. Administrative Dispute Resolution Act The Subcommittee has jurisdiction over the Administrative Dispute Resolution Act (5 U.S.C. 571 *et seq.*). It anticipates oversight hearings to determine the effectiveness of the dispute resolution procedures authorized under the statute. (Winter 2000)

SUBCOMMITTEE ON THE CONSTITUTION

- I. Civil Rights Division, U.S. Department of Justice Hearings will be necessary to consider the enforcement record, priorities, and authorization request of the Civil Rights Division. The Subcommittee will focus on the Division's activities in the areas of education, employment, voting, credit, housing, public accommodations and federally funded and conducted programs.

The Subcommittee will examine the implementation/enforcement and impact of the Fair Housing Act Amendments of 1988, the American Disabilities Act, the Voting Rights Act, the National Voter Registration Act of 1993, the Civil Rights Act of 1991 and the Religious Freedom Restoration Act. (2000)

- II. Community Relations Service The Subcommittee will consider the enforcement record, priorities, and authorization request of the Community Relations Service. (2000)
- III. United States Commission on Civil Rights The United States Commission on Civil Rights is intended to serve as an independent, bipartisan fact-finding agency. The Subcommittee plans to examine the priorities, structure, and authorization request of the Civil Rights Commission. (1999)
- IV. Office of Government Ethics The Subcommittee will consider the priorities, operation and authorization request for the Office of Government Ethics. (1999)
- V. Employment Non Discrimination The Subcommittee will conduct hearings to consider the extent of discrimination based on sexual orientation, including in particular employment discrimination, and consider the need for legislative remedies.

SUBCOMMITTEE ON COURTS AND INTELLECTUAL PROPERTY

- I. The Federal Judicial System The Subcommittee will continue to devote considerable time and resources to improving the delivery of justice by Federal Courts.

A. The Judicial Conference of the United States In 1922, Congress created a Conference of Senior Circuit Judges which today is known as the Judicial Conference of the United States. The Conference is the policy making body of the Federal Judiciary. The Subcommittee plans to hold oversight hearings on the Judicial Conference's role and that of the U.S. Supreme Court in developing recommended changes under the Rules Enabling Act. One issue is whether the U.S. Supreme Court should play a meaningful part in that process. (Summer 2000)

B. Administrative Office of the U.S. Courts The Administrative Office of the U.S. Courts was created by Congress in 1939, and assigned the responsibility for administrative duties for the Federal Courts, including preparation of the Judiciary's budget, gathering of statistics for the judicial branch, and implementing the policies of the Judicial Conference. The Subcommittee plans to hold an oversight hearing on the Federal Judicial Branch and the functioning of the Administrative Office. (Summer 2000)

C. Federal Judicial Center In 1967, the Federal Judicial Center was established within the judicial branch of government and given the responsibilities over research, judicial education and system development. The Subcommittee plans to hold an oversight hearing on the research, support and automation plans of the Federal judiciary. (Summer 2000)

D. Structural Alternatives for the United States Courts of Appeals In the 105th Congress, the House passed H.R. 908, a bill that authorized a one-year study of the burgeoning caseloads of the federal circuits, with special attention accorded the Ninth Circuit. The Commission created by the bill was also charged with making recommendations to correct the problem.

The Commission has completed its work and has recommended that the Ninth Circuit serve as a paradigm for other circuits that become swamped by increased filings. Rather than split the Ninth and create a new 12th Circuit – which would exclude California, however configured – the Commissioners suggest restructuring the Ninth into regional divisions. A Circuit Division, with 13 judges from all regional divisions, would resolve conflicts among the regional divisions.

The Subcommittee plans to hold an oversight hearing to consider possible legislative solutions to this problem. (Summer 1999)

E. The Federal Judiciary's Courthouse Construction Program There has been a substantial increase in Federal Courthouse construction, often accompanied by what is thought of to be excessive spending. The Subcommittee plans to hold an oversight hearing on cost overruns in courthouse construction projects. (Summer 2000)

II. Investigation of the Number of Unused Federally Maintained Courthouses Throughout the United States Over the years, the Subcommittee has passed legislation authorizing the use of new places of holding court. In most instances this legislation resulted in the use and maintenance of an existing court structure. Sometimes this legislation resulted in the building of new courthouses. The Subcommittee plans to hold an oversight hearing to review the status and use of these courthouses throughout the country. (Summer 2000)

III. The U.S. Copyright System The Subcommittee will continue to devote considerable time to oversee the operation of the copyright system in a world of ever changing technology. It is vital to the protection of American copyrighted works that the Subcommittee be vigilant in its exercise of its jurisdiction to carry out its constitutional mandate to “promote the progress of science and useful arts, by securing for limited times to authors and inventors the exclusive right to their respective writings and discoveries[.]” (Art. I Sec. 8. cl. 8)

A. The U.S. Copyright Office The Subcommittee has oversight responsibilities over the operation of the U.S. Copyright Office, which is part of the Library of Congress. The Copyright Office has a number of responsibilities, from collecting and distributing copyright royalties to registering and granting certificates of copyrights to thousands of people each year. The Subcommittee will conduct an oversight hearing on the changing needs and efficient operation of that office. (Winter 2000)

B. The WIPO Audio-Visual Treaty The Subcommittee plans to hold an oversight hearing on the progress of the current Audio-Visual Treaty negotiations being held under the auspices of the World Intellectual Property Organization or any necessary legislation as a result of the Audio-Visual Treaty should the United States become a signatory. (Spring 2000)

IV. U.S. Patent and Trademark Systems

A. U.S. Patent and Trademark Office (PTO) is part of the Department of Commerce and the Subcommittee has oversight responsibilities for its authorization and its operation. The PTO is responsible for the examination and issuance of U.S. Patents and Trademarks. It is also responsible for international negotiations with other patent and trademark authorities, such as the European Patent Office and the Japanese Patent Office. The Subcommittee will hold oversight hearings on the operations of the PTO. This will be part of a continuing review. (Winter 2000)

B. Single, Low-Cost World Patent The cost to U.S. companies and inventors of applying for and obtaining separate patents in each of 150 or more countries is prohibitive. In developing countries and even in Europe, patent fees are at such high levels that they constitute a tax on innovation. European government fees to obtain and maintain a patent are more than ten times the fees in the U.S. In addition, the expense of retaining separate patent attorneys or agents in each foreign country is burdensome and expensive. The United States could take a leadership role in negotiating an agreement

under which countries would give full faith and credit to patents granted by an international organization or one of the three largest patent offices in the world – the U.S. Patent Office, the European Patent Office, or the Japanese Patent Office. Countries giving full faith and credit would charge a minimal fee for patenting in that country, and it would be unnecessary to retain separate patent attorneys or agents to obtain a patent in that country. The obstacles to negotiating and implementing such an arrangement would be formidable, but a single low-cost world patent is the best long-term approach to obtaining effective world-wide patent protection for U.S. companies and inventors. (Fall 1999)

SUBCOMMITTEE ON CRIME

I. The War on Drugs

A. Interdiction The Subcommittee on Crime will continue its review of the U.S. drug interdiction effort. With the passage of the "Western Hemisphere Act" in the 105th Congress, federal law enforcement has been given new tools for combating drug trafficking. There is growing evidence that trafficking in the eastern Caribbean transit zone has increased substantially in recent years. Consequently, particular attention will be focused on the adequacy of current interdiction efforts in this geographical area. (Spring/Summer 1999)

B. Major International Drug Traffickers The Subcommittee will continue to examine the federal law enforcement effort at identifying and apprehending those who conspire to import controlled substances into the U.S., with particular focus on the Drug Enforcement Administration's priorities. (1999)

II. Prisons

A. The Prison Litigation Reform Act (PLRA) The Subcommittee will review the implementation of the PLRA as it is enforced, and litigated, around the country. (1999)

B. Federal Assistance to Build State Prisons The Subcommittee will continue to monitor the Justice Department's distribution of Violent Offender Incarceration grants to the States. (1999 and 2000)

III. Federal Assistance to State and Local Law Enforcement The Subcommittee will continue to monitor the Justice Department's implementation of the Local Law Enforcement Block Grant Program and the COPS Grant Program. (1999 and 2000)

IV. Brady Act The "Brady Handgun Violence Prevention Act of 1994" required the FBI to develop and operate a national, point-of-sale, criminal background check system for all firearms purchases. The system became operational last November. The Subcommittee will monitor the operations of this instant check system. (1999 and 2000)

V. The Federal Bureau of Prisons (BOP) The Subcommittee will conduct extensive oversight of the management practices of the BOP in the 106th Congress. Attention will be given to issues relating to privatization of prison operations, drug treatment in prison, and the transfer to the BOP of persons sentenced by the District of Columbia. Special attention will be given to issues relating to the Federal Prison Industries program operated by BOP. (1999 and 2000)

VI. The Federal Bureau of Investigation (FBI) As the largest federal law enforcement agency, the FBI will be the subject of much of the Subcommittee's oversight activities. Among the areas of inquiry will be expansion of the FBI's presences overseas through its legal attache offices, its increased emphasis on enforcing anti-terrorism laws, and

issues relating to the implementation of the Communications Assistance for Law Enforcement Act of 1994. (1999 and 2000)

- VII. The United States Secret Service The Subcommittee will conduct oversight of the United States Secret Service concerning the extent of its protective function for the President and Vice President, their families, retired Presidents, and foreign dignitaries. The Subcommittee will also monitor the enforcement by the Secret Service of two new laws passed in the 106th Congress: the “Wireless Telephone Protection Act of 1998,” and the “Identity Theft and Assumption Deterrence Act of 1998.” (1999 and 2000)
- VIII. U.S. Sentencing Commission The Subcommittee will review the mission and operations of the U.S. Sentencing Commission. The Subcommittee will focus particularly on the effectiveness of the Commission given its recent lack of leadership. (1999)
- IX. Restitution The Subcommittee will work with the General Accounting Office to determine whether restitution orders are being adequately enforced. (1999)
- X. Juvenile Justice The Subcommittee will review the Justice Department’s implementation of the juvenile accountability incentive grant program funded in the 105th Congress. (1999)
- XI. Discrimination in Law Enforcement The Subcommittee will conduct hearings to consider the magnitude of discrimination in the criminal justice system. The hearings will consider the extent to which racial minorities are treated differently than their non-minority counterparts committing or accused of the same offenses.
- XII. Prosecutorial Misconduct The last Congress began to address the issue of prosecutorial misconduct by enacting the Citizens Protection Act, requiring that federal prosecutors follow state ethical guidelines. Previously, Chairman Hyde also sponsored legislation which passed into law allowing for recovery of legal fees to address the most extreme instances of prosecutorial over-reaching. Hearings will focus on the operation and impact of these laws and consider the need for additional legislative revisions and responses.

SUBCOMMITTEE ON IMMIGRATION AND CLAIMS

- I. Immigrant "Quality" The Subcommittee expects to conduct hearings on 1) the impact of low-skilled immigrants on American workers and minority communities, 2) the workforce needs of American employers in the 21st century, and 3) various methods to make our legal immigration system more responsive to the workforce needs of American employers in the 21st century. (Spring 1999)
- II. INS Restructuring/Management The Subcommittee expects to conduct hearings on management problems in the Immigration and Naturalization Service and proposals to restructure the agency to enable it to more effectively carry out its missions. While the agency's budget has doubled in recent years, concerns about its ability to function effectively have only increased. (Summer 1999/Fall 1999)
- III. Consequences of Hurricane Mitch The Subcommittee expects to conduct hearings on 1) the effects of Hurricane Mitch in Honduras, Nicaragua, El Salvador, and Guatemala, 2) appropriate responses by the United States government including temporary protected status, 3) lessons from the amnesty of 1986 and previous uses of temporary protected status, and 4) the Immigration and Naturalization Service's ability to respond to an immigration emergency along our southern border. (Spring 1999)
- IV. Implementation of the Nicaraguan Adjustment and Central American Relief Act The Subcommittee expects to conduct hearings to monitor the Immigration and Naturalization Service's implementation of NACARA (which granted permanent resident status to certain migrants from Cuba and Nicaragua and allowed certain migrants from El Salvador and Guatemala and other areas to apply for suspension of deportation), including anti-fraud efforts. (Summer 1999)
- V. Alien Smuggling The Subcommittee expects to conduct hearings on recent trends in alien smuggling and methods for the detection, apprehension, prosecution and punishment of alien smugglers. (Spring 1999/Spring 2000)
- VI. Detention of Aliens The Subcommittee expects to conduct hearings on the Immigration and Naturalization Service's capability to detain criminal and illegal aliens and to meet the detention requirements of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 and on the condition of INS detention facilities. (Fall 1999)
- VII. Removal of Aliens The Subcommittee expects to conduct hearings on the implementation of new procedures to remove criminal and illegal aliens provided by the Illegal Immigration Reform and Immigrant Responsibility Act of 1996. (Summer 2000)
- VIII. Interior Enforcement The Subcommittee expects to conduct hearings on the Immigration and Naturalization Service's efforts on finding and removing illegal aliens living and working in the interior of the United States, including 1) the employment eligibility verification pilot program, 2) INS' worksite enforcement strategy, and 3) INS' "Quick Response Teams." (Summer 1999/Spring 2000)

- IX. Entry-Exit Control System The Subcommittee expects to conduct hearings on the status of the Immigration and Naturalization Service's implementation of an entry-exit control system along the northern and southern borders (to monitor the entry and exit of aliens). Staff travel to visit implementation sites may be warranted. (Summer 1999/Spring 2000)
- X. Border Control The Subcommittee expects to conduct hearings on the situation along our southern border, the success of current border control initiatives such as "Operation Gatekeeper" in San Diego, and the necessity of additional resources. Staff travel to visit border sites may be warranted. (Spring 1999/Spring 2000)
- XI. Alien Terrorism The Subcommittee expects to conduct hearings on 1) our vulnerability to alien terrorists, 2) our ability to deny entry to terrorists, 3) the use of anti-terrorism courts provided for under the Antiterrorism and Effective Death Penalty Act of 1996. (Summer 1999/Fall 2000)
- XII. Student Visas The Subcommittee expects to conduct hearings on 1) the use of student visas by aliens from countries designated as sponsors of terrorism, 2) the status of the Immigration and Naturalization Service's pilot program to track alien college students, and 3) the advisability of loosening restrictions on the availability of student visas to attend public high schools. (Summer 1999/Spring 2000)
- XIII. Affirmative Action and Aliens The Subcommittee expects to conduct hearings on the eligibility and use of affirmative action programs by aliens. (Spring 2000)
- XIV. Expedited Exclusion The Subcommittee expects to conduct hearings on the implementation of the expedited exclusion provisions of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996, which allow for the expedited return of aliens arriving at ports of entry with fake or nonexistent documents. (Spring 1999)
- XV. Dual Nationality The Subcommittee expects to conduct hearings on the policy implications of the widening acceptance worldwide of dual nationality. (Summer 1999)
- XVI. Fraud in Various Temporary Visa Programs The Subcommittee expects to conduct hearings on fraud in the issuance and use of various temporary visas, such as the creation of phantom overseas companies to obtain "L" intercompany transferee visas. (Summer 2000)
- XVII. Battered Spouse Protections The Subcommittee expects to conduct hearings on battered spouse protections provisions in the Immigration and Nationality Act. The Subcommittee will look at the prevalence of fraud and the advisability of expanded protections for aliens who have been battered by their spouses. (Summer 2000)
- XVIII. New Affidavit of Support The Subcommittee expects to conduct hearings on the effects of new affidavit of support required by the Illegal Immigration Reform and Immigrant Responsibility Act of 1996. Sponsors of immigrants now must sign a legally binding affidavit promising to provide for the support of the immigrants until they naturalize. (Fall 1999)

- XIX. Naturalization Issues The Subcommittee expects to conduct hearings on the denaturalization of criminals who were mistakenly naturalized during the “Citizenship USA” program and on the naturalization processing backlogs. (Fall 1999)
- XX. Immigration Statistics The Subcommittee expects to conduct hearings on the Immigration and Naturalization Service’s inability to generate timely immigration statistics. (Fall 2000)
- XXI. Investor Visa Program The Subcommittee expects to conduct hearings on recent INS changes to the Investor Visa Program (granting permanent residence to aliens investing a certain amount into U.S. enterprises and creating a certain number of jobs for American workers). (Fall 1999)
- XXII. Parole The Subcommittee expects to conduct hearings on the Attorney General’s use of her discretionary parole authority to admit persons otherwise not eligible to enter the United States, including the implementation of restrictions on the use of such authority included in the Illegal Immigration Reform and Immigrant Responsibility Act of 1996. (Summer 2000)